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RUEHGV/USMISSION GENEVA PRIORITY 0536

C O N F I D E N T I A L AMMAN 004982

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E.O. 12958: DECL: 02/07/2016
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SUBJECT: JORDAN REACTS TO STATEMENTS OF UN RIGHTS RAPPORTEUR

Classified By: Classified by Ambassador David Hale for reasons 1.4 (b) and (d)

11. (U) Summary: Dr. Manfred Nowak, UN Special Rapporteur on Torture, visited Jordan June 25-29. Nowak visited prisons and police stations, as well as attorneys and NGOs working on human rights issues. In a June 29 press conference, Nowak said he had observed indications that torture had taken place and urged the GoJ to criminalize torture, dissolve private police and intelligence courts, investigate torture allegations while creating mechanisms to prevent torture, and ratify the Optional Protocol to the Convention Against Torture. The GoJ responded publicly by highlighting its invitation to Nowak as evidence of Jordan's commitment to human rights. Some NGOs in Jordan believe Nowak overreached in his public statements. End Summary.

12. (C) Post understands from Dr. Manfred Nowak, UN Special Rapporteur on Torture, that he earlier this year informally expressed interest in visiting Jordan, and that the GoJ responded by inviting him. Nowak, accompanied by interpreters and a forensic doctor, visited Jordan June 25-29. The visit concluded in a press conference June 29, during which Nowak stated that in some prisons (notably those for women) he saw excellent conditions and good practices, while in others he observed indications (NFI) that torture was "systematically practiced" by the General Intelligence Directorate (GID) and the Criminal Investigation Department (CID) of the national police, the Public Security Directorate. Nowak complained to the media that GID and CID officials had obstructed some of his inquiries. While careful to point out that GoJ did not authorize torture, Nowak alleged that a de facto situation of "impunity" existed for torturers in elements of the GID and CID. Nowak did not cite any specific cases. Nowak urged the GOJ to try officials accused of misconduct in the regular criminal courts rather than in the special closed tribunals that currently handle all allegations of official misconduct. He also urged the GoJ to enact legislation that specifically criminalizes torture. (Note: The Jordanian criminal code provides punishment for "cruel treatment and mishandling," but the word "torture" does not appear in the code. End note.) Nowak claimed that officials found guilty of mistreatment are not punished severely. (Note: Again, Nowak did not cite any cases. End note)

13. (C) On July 3, the English-language Jordan Times ran an opinion article condemning Nowak for passing summary judgment on the situation in Jordan, accusing him of speaking too hastily from a personal standpoint before seeking the endorsement of the United Nations Council on Human Rights which appointed him. The United Nations Development Programme office in Amman was unable to tell poloff whether Nowak had reported back to Geneva before making his public statement on June 29, though they did inform poloff that

Nowak met with Foreign Minister Khatib prior to the press conference.

14. (C) GoJ spokesperson Nasser Judeh, quoted in the English-language daily Jordan Times on July 1, emphasized that Nowak had visited at GOJ invitation, arguing that this was a positive indication of the GoJ's initiative and commitment to the advancement in human rights. The GoJ has not yet commented on Nowak's recommendation to close the special courts for officials, nor on Nowak's call to investigate every torture allegation. (Note: In 2005, after the National Center for Human Rights (NCHR) released a report criticizing conditions in the Al-Jafr desert penitentiary, the GoJ announced plans to close the facility as well as reform other rehabilitation centers. Currently, the Al-Jafr prison is still in operation. End Note.) In a July 2 meeting with poloff, Ambassador Ziad Majali, Director of the Human Rights and Human Security Department at the Foreign Ministry, repeated Judeh's position and declined to comment on the status of the special courts.

15. (C) The local human rights NGO community welcomed the attention that Nowak's visit focused on their issues. However, some who agree conditions need to be improved in Jordanian prisons nevertheless expressed doubt that there was evidence for the "systematic torture" Nowak alleged. Luna Sabbah of the Adalah Centre for Human Rights Studies told poloff July 1 that although Nowak's report had positive aspects, it was "not entirely accurate". She said "torture of prisoners is not common," though "some sick-minded individuals" sometimes engage in it. Christine Faddoul of the NCHR echoed Nowak's call to amend the law to specifically mention torture and to close the special courts for official misconduct cases. However, Faddoul said it was too early for NCHR to take a position on Nowak's torture allegations, and that she hoped Nowak would issue a formal report that NCHR could study.

16. (U) Jordan ratified the UN Convention on Torture in 1991. In the 2005 Human Rights Report for Jordan, post described allegations of police abuse and torture. Many defendants, particularly in terrorism cases, later claimed that their confessions were extracted under torture, and in at least one case a conviction was overturned by a judge who was convinced of a defendant's claims.

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